

**Notice of Allowability**

Application No.

10/645,705

Examiner

Juan C. Ochoa

Applicant(s)

HARTMANN ET AL.

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/28/06.
2. ☒ The allowed claim(s) is/are 1-47.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 1/26/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **DETAILED ACTION**

1. The amendment filed 7/28/06 has been received and considered. Claims 1–47 are presented for examination.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given in a telephone interview with J. Patrick Kendrick on 9/25/06.
4. The application has been amended as follows:
5. Claim 1 line 4, immediately after the term "estimate", the following has been inserted --that is not zero in cruise--.
6. Claim 21 line 6, immediately after the term "estimate", the following has been inserted --that is not zero in cruise--.
7. Claim 41 line 8, immediately after the term "estimate", the following has been inserted --that is not zero in cruise--.

### **Allowable Subject Matter**

8. Claims 1–47 are allowed over prior art of record.
9. The following is an examiner's statement of reasons for allowance:

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10. While Adibhatla discloses a method for enhancing a model of an aircraft comprising: computing a thrust estimate from data measured from at least one engine sensor (see "estimate ... thrust" in col. 2, lines 58–60, and Fig. 1, item No. 70); and adding the thrust estimate to the model (see col. 3, lines 50–54, and Fig. 1, item No. 74),

Smith discloses a thrust-minus-drag mathematical model (see "modeled thrust-minus-drag relationship" in col. 3, lines 45–49),

Adibhatla (2) discloses a method wherein the thrust estimate is added to the thrust-minus-drag mathematical model only during an aircraft cruise condition: (See "cruise " in col. 1, lines 44–47),

Bernier discloses a method wherein the engine performance data is N1, N2, EPR and/or PLA data. (See col. 34, lines 67–68 and col. 35, lines 1–17),

and Chakravarty discloses an airborne flight management computer system (see col. 1, lines 10–13),

none of these references taken either alone or in combination disclose teach a specifically including:

claims 1 and 21 "a second thrust estimate that is not zero in cruise",

and claim 41 "a thrust estimate that is not zero in cruise",

in combination with the remaining elements and features of the claimed invention. Also, there is no motivation to combine none of these references to meet these limitations. It is for these reasons that applicant's invention defines over the prior art of record.

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in combination with the remaining elements and features of the claimed invention. Also, there is no motivation to combine none of these references to meet these limitations. It is for these reasons that applicant's invention defines over the prior art of record.

### **Response to Arguments**

11. Applicant's arguments filed 7/28/06 have been fully considered.
12. Regarding the specification objections, the amendment corrected all deficiencies and the objections are withdrawn.
13. Regarding the claim objections, the amendment corrected all deficiencies and the objections are withdrawn.
14. Regarding the rejections under 103, Applicant's arguments have been considered and the rejections are withdrawn.


### **Conclusion**

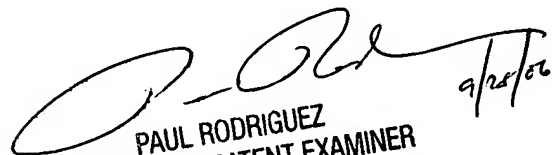
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juan C. Ochoa whose telephone number is (571) 272-2625. The examiner can normally be reached on 7:30AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Rodriguez can be reached on (571) 272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

\*\*\*  9/26/05

  
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SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100  
9/28/05